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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,338	09/12/2003	Todd W. Antrim	BEI-0021USC1	8039
49584	7590	01/24/2006	EXAMINER	
LEE & HAYES, PLLC 421 W. RIVERSIDE AVE. SUITE 500 SPOKANE, WA 99201			TRAN, QUOC DUC	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/661,338	Applicant(s) ANTRIM ET AL.	
	Examiner Quoc D. Tran	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 11-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 6-7 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheston, III et al (5,771,279) in view of Bleile et al (6,061,439).

Consider claim 1, Cheston, III et al teach a method comprising providing enhanced telecommunications dialing features for commercial classes of dedicated telephone service (col. 2 lines 30-34, lines 44-48), wherein the dedicated telephone service is for at least one terminating piece of equipment that is in communication with a telecommunications service provider central office (see Fig. 2, i.e., CPE 101 in communication with LEC 105).

Cheston, III et al did not explicitly suggest wherein the dialing features are provided by the telecommunications service provider at the central office. However, Bleile et al a method for providing dialing features from central office (abstract, col. 1 line 65 – col. 2 line 14; col. 6 lines 46-56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Bleile et al of providing dialing features from central office of the conventional PSTN services and applied into the commercial services of Cheston, III et al in order to broaden services to different network environment.

Consider claim 2, Cheston, III et al teach the method wherein providing telecommunications dialing features on dedicated commercial lines includes providing telecommunications dialing features for T-1 channels (col. 14 lines 27-35, col. 24 lines 10-17).

Consider claim 6, Cheston, III et al teach a method comprising providing a call return dialing feature for commercial classes of dedicated telephone service (col. 2 lines 30-34, lines 44-48; col. 5 lines 16-22), wherein the dedicated telephone service is for at least one terminating piece of equipment that is in communication with a telecommunications service provider central office (see Fig. 2, i.e., CPE 101 in communication with LEC 105).

Cheston, III et al did not explicitly suggest wherein the call return dialing feature is provided by the telecommunications service provider at the central office. However, Bleile et al a method for providing dialing features from central office (abstract, col. 1 line 65 – col. 2 line 14; col. 6 lines 46-56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Bleile et al of providing dialing features from central office of the conventional PSTN services and applied into the commercial services of Cheston, III et al in order to broaden services to different network environment.

Consider claim 7, Cheston, III et al teach the method wherein providing telecommunications dialing features on dedicated commercial lines includes providing telecommunications dialing features for T-1 channels (col. 14 lines 27-35, col. 24 lines 10-17).

Consider claim 19, as suggested above, Cheston, III et al teach the method further comprising providing call waiting feature (col. 2 lines 30-34, lines 44-48; col. 5 lines 16-22).

Consider claim 20, as suggested above, Cheston, III et al teach the method further comprising providing speed dialing feature (col. 2 lines 30-34, lines 44-48; col. 21 line 20).

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3. Claims 3-5, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheston, III et al (5,771,279) in view of Bleile et al (6,061,439) and further in view of Turock (6,243,373).

Consider claims 3 and 8, Cheston, III et al did not clearly suggest charging a fee for providing telecommunications dialing features for T-1 channels. However, Turock teaches such (col. 2 line 19-22). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching Turock into view of Cheston, III et al in order to bill the user for services provided.

Consider claims 4 and 9, Turock teaches the method wherein charging a fee includes charging a fee on a per usage basis (col. 2 lines 45-47).

Consider claims 5 and 10, Turock teaches the method wherein charging a fee includes charging a fixed fee per unit time (col. 2 lines 31-34).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 6, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilkes (5,539,817).

Consider claim 1, Wilkes teaches a method comprising providing telecommunications enhanced dialing features (i.e., call return, speed or abbreviated dialing, call waiting, etc.) for commercial classes of dedicated telephone service (col. 1 lines 10-15; col. 7 lines 34-49), wherein the dedicated telephone service is for at least one terminating piece of equipment that is

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in communication with a telecommunications service provider central office (see Fig. 3a) and wherein the dialing features are provided by the telecommunications service provider at the central office (col. 1 lines 10-15).

Allowable Subject Matter

6. Claims 11-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOCTRAN
PRIMARY EXAMINER


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January 19, 2006